REMARKS

This responds to the Office Action dated October 5, 2007.

Claims 1-3, 11, 13, 24, 27 and 34 are amended, no claims are canceled, and no claims are added; as a result, claims 1-24 and 26-38 are now pending in this application.

Interview Summary

Applicant's representative greatly appreciates the courtesies extended in the telephone interview with Examiners Smith and Evanisko on December 12, 2007. In the interview, the claims, rejections and cited references were discussed. The Examiners provided helpful suggestions for the claims and remarks, and stated the application would be reexamined.

Applicant's representative respectfully requests the Examiner contact the representative by phone at 612-371-2117 to facilitate prosecution if the claims are not found allowable in the reexamination.

Claim Objections

Claims 11-13 and 27 were objected to due to informalities. Applicant respectfully submits the objections to claims 11-13 provided in the Office Action at paragraph 5 have been addressed as herein discussed below. Applicant respectfully requests the Examiner contact Applicant's representative in the next examination to facilitate prosecution if the Examiner is not agreeable to the remarks regarding claims 11-13 as they are presented herein.

Claim 27 has been amended to address the objection provided in paragraph 6 of the Office Action. Applicant respectfully submits the amendment is made to make clear that which was already present in the claim.

Reconsideration and allowance of claim 27 are respectfully requested.

§112 Rejection of the Claims

Claims 11-13 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. As discussed in detail below, Applicant respectfully submits that means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environmentas recited in

claims 11-13 is a means plus function clause under 35 USC § 112, paragraph 6. According to 35 USC § 112, paragraph 6, "an element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be *construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.*" (Emphasis added). Pursuant to 35 USC 112, paragraph 6, because Applicant is allowed to rely on the specification to further describe the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment Applicant submits the means has been adequately described in the remarks below including relevant specification passages and indicated elements. Applicant respectfully submits in light of the remarks below that the subject matter regarded as the invention has therefore been particularly pointed out and distinctly claimed.

Reconsideration and allowance of claims 11-13 are respectfully requested.

§102 Rejection of the Claims

Claims 11-13 and 36 were rejected under 35 U.S.C. § 102(b) for anticipation by Verness et al. (U.S. Patent No. 6,285,910).

Applicant respectfully traverses the rejections of claims 11-13 and 36 for at least the following reasons. Applicant can not find in Verness, for example, means for detecting wear of the insulating layer, wherein the means for detecting wear is disposed within the insulating layer, as recited in claim 11. Claims 11-13 and 36 depend from claim 11 and thereby include all of its recitations.

Applicant respectfully submits claim 11 is a means plus function claim under 35 U.S.C. § 112, paragraph 6. According to 35 USC § 112, paragraph 6, "an element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be *construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.*" (Emphasis added). Further, pursuant to MPEP § 2184, "The applicant may provide reasons why the applicant believes the prior art element should not be considered an equivalent to the specific structure . . . Such reasons may include, but are not limited to: (A) Teachings *in the specification* that particular prior art is not equivalent; (B) Teachings in the

prior art reference itself that may tend to show nonequivalence." (Emphasis added). Further, MPEP § 2184 II states, "When deciding whether an applicant has met the burden of proof with respect to showing nonequivalence . . . the following factors may be considered. First, unless an element performs the *identical function* specified in the claim, it cannot be an equivalent for the purposes of 35 USC 112, sixth paragraph." (Emphasis added). MPEP § 2184 II, quoting Pennwalt Corp. v. Durand-Wayland, Inc. 833 F.2d 931 (Fed. Cir. 1987). MPEP § 2184 II goes on to state, "Among the indicia that will support a conclusion that one element is or is not equivalent of another are: (A) Whether the prior art element performs the identical function specified in the claim in substantially the same way, and produces substantially the same results as the corresponding element *disclosed in the specification.*" MPEP § 2184 II, quoting Kemco Sales, Inc. v. Control Papers Col, 208 F.3d 1352 (Fed. Cir. 2000).[1] Pursuant to 35 USC 112, paragraph 6, and MPEP § 2184 (see above), because Applicant is allowed to rely on the specification to further describe the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment Applicant submits the means as described in the remarks below including relevant specification passages and indicated elements distinguishes over the cited reference.

Pursuant to MPEP § 2184, Applicant traverses the alleged equivalence in the Office Action and submits the cited reference fails to provide equivalent structure to the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment. Applicant respectfully submits that the cited reference does not appear to disclose an equivalent to the corresponding elements disclosed in Applicant's specification, such as:

Conductive sleeve 122 shown in Figures 3-5 and 10-12;

Conductive sleeve 130 shown in Figures 6-8;

Conductive sleeve 132 shown in Figures 6-8;

Conductive sleeve 134 shown in Figure 8.

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[1] Pursuant to Polumbo v. Don-Joy Co., "The concepts of equivalents as set forth in Graver Tank & Mfg. Co. v. Linde Air Products, 339 US 605, (1950) are relevant to and "equivalents" determination." (Emphasis in the original). See MPEP § 2184 II quoting Polumbo v. Don-Joy Co., 762 F.2d 969, (Fed. Cir. 1985),

Further, at page 7, ll 15-21 of the specification, the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is described as a conductive sleeve,

> a conductive sleeve 122 is disposed within the insulating layer 120, in one option. The conductor 118 is disposed within the conductive sleeve 122, so the conductive sleeve 122 surrounds the conductor 118. In other words, the conductive sleeve 122 defines a perimeter around the conductor 118. In one option, the conductive sleeve 122 is comprised of discrete conductive elements and defines a broken perimeter around the conductor 118. Optionally, the conductive sleeve 122 is aligned with a longitudinal axis defined by the conductor 118.

Further, at page 7, ll 22-26 of the specification, the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is further described,

> The conductive sleeve 122 is electrically isolated from the electrode 116 and conductor 118 by the insulating layer 120. In another option, the insulating layer 120 also surrounds the conductive sleeve 122, thereby isolating the conductive sleeve from a surrounding environment (for example bodily fluids).

Because the conductive sleeve 122 is isolated from the electrode 116, the conductor 118 and the exterior surrounding environment (e.g., bodily fluids) in an implanted condition the sleeve 122 is not in contact with any feature of the implantable lead assembly that provides therapy or sensing (e.g., sensing or therapy electrodes and conductors that contact a surrounding environment exterior to the lead body). The means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is therefore not equivalent to the allegedly equivalent structure of the cited reference. For example, column 7, ll 57-61 of the cited reference states, "FIG. 15 illustrates an alternative mechanism for interconnecting a stranded conductor 412 with a coiled conductor 416 . . . *Conductive crimp sleeve 418* is crimped to coiled conductor 416 by crimps 420 . . . Stranded conductor 412 is coupled to the crimp sleeve 418 by means of *conductive sleeve 422*." (Emphasis added). Because the conductive sleeve 422 is coupled with the stranded conductor 412 and the coiled conductor 416, the sleeve 422 of the cited reference is therefore not isolated from the conductors 412, 416 or a surrounding environment exterior to the lead body.

Further still, the means for detecting wear, the conductive sleeve, is shown as extending longitudinally along the lead assembly, and the cited reference fails to show equivalent structure. See Figures 3 and 4. At page 8, ll 7-10 of the specification, the means for detecting wear is

described, "Optionally, the conductive sleeve 122 extends from the proximal end of the implantable lead body 111 (Figure 3) along substantially one third of the lead body length, where a large amount of wear is likely to occur." Moreover, at page 11, ll 13-15, "the conductors 118 extend parallel to the longitudinal axis of the implantable lead assembly 110 as do the conductive sleeves 130, 132, 134." Because the conductive sleeve extends continuously over sections of the lead body the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is therefore not equivalent to the allegedly equivalent structure of the cited reference. As described above, the conductive sleeve 422 of Verness is described as a connector between the stranded conductor 412 and the coiled conductor 416. The conductive sleeve 422 is localized at the desired interconnection and fails to extend longitudinally as shown in the application Figures and described in the application specification cited above.

Additionally, Applicant respectfully submits the cited reference fails to teach the allegedly equivalent structure performs the *identical function* as required by MPEP § 2184 II. At page 7, ll 26 to page 8, ll 2, the specification states, for example, "When surrounded by the insulating layer 120, the conductive sleeve 122 has a first impedance value in a non-breached condition. In one option, the conductive sleeve 122 is in an open circuit when isolated from the surrounding environment and has an infinite first impedance." At page 8, ll 5-7, " the conductive sleeve 122 is exposed to a surrounding environment in a breached second condition." At page 13, ll 3-7, "if wear has ablated the insulating layer 120 and exposed the sleeve 122 to the surrounding environment [in the breached second condition], the impedance of the conductive sleeve 122 will change from the first impedance value to the second impedance value within a predetermined range." Further, at page 16, ll 10-13, the specification states, "This change of impedance . . . signals wear of the lead insulation before the lead conductor itself is exposed to the surrounding environment." Because the conductive sleeve 122 is isolated from the surrounding environment exterior to the lead body in a first condition (e.g., isolated from sensing or therapy electrodes and conductors that contact a surrounding environment exterior to the lead body, as described above), when the insulation is breached and the conductive sleeve is in the breached second condition its impedance necessarily changes a measurable degree that indicates wear of the lead insulation. The function of the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is therefore not equivalent

to the function of the allegedly equivalent structure of the cited reference. For example, column 7, ll 57-61 of the cited reference states, "FIG. 15 illustrates an alternative mechanism for interconnecting a stranded conductor 412 with a coiled conductor 416 . . . Conductive crimp sleeve 418 is crimped to coiled conductor 416 by crimps 420 . . . Stranded conductor 412 is coupled to the crimp sleeve 418 by means of conductive sleeve 422." Because the conductive sleeve 422 is coupled with the stranded conductor 412 and the coiled conductor 416, the sleeve 422 of the cited reference is therefore not isolated from the conductors 412, 416 or a surrounding environment exterior to the lead body. The conductive sleeve 422 therefore does not provide the identical function of the claimed means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment described above. Because the conductive sleeve 422 fails to perform the identical function as required by MPEP § 2184 II, the element is not equivalent to the means for detecting wear of the insulating layer.

Pursuant to 35 USC 112, paragraph 6, and MPEP § 2184, because the cited reference fails to teach the means for detecting wear of the insulation layer and its associated function as described in the specification the teaching of the cited reference is not equivalent.

Reconsideration and allowance of claims 11-13 and 36 are respectfully requested.

Claims 1, 2, 4-10, 24 and 26-33 were rejected under 35 U.S.C. § 102(b) for anticipation by Yang et al. (U.S. Patent No. 5,824,030). Applicant respectfully traverses the rejections of claims 1, 2, 4-10, 24 and 26-33 for at least the following reasons. Applicant cannot find in the cited reference, for example, at least one conductive sleeve disposed within the insulating layer, the at least one conductive sleeve surrounds the conductor and extends continuously along the conductor from the proximal end to at least the intermediate portion, wherein the at least one conductive sleeve is electrically isolated from all sensing and therapy electrodes and all sensing and therapy conductors including the electrode and the conductor, the at least one conductive sleeve has a first impedance value in a first condition, and the at least one conductive sleeve is adapted for electrical isolation from a lead body exterior environment in the first condition, as recited in claim 1. Claims 2 and 4-10 depend from claim 1 and thereby include all of its recitations. Further, Applicant cannot find in the cited reference, at least one conductive sleeve interposed between the lead body exterior and the conductor, the at least one conductive sleeve at

least partially surrounds the conductor, the at least one conductive sleeve continuously extends along the conductor from the proximal end to at least the intermediate portion, wherein the at least one conductive sleeve is electrically isolated from all sensing and therapy electrodes and all sensing and therapy conductors including the electrode and the conductor, the at least one conductive sleeve has a first impedance value in a first condition, and the at least one conductive sleeve is electrically isolated from a lead body exterior environment in the first condition, as recited in claim 24. Claims 26-33 depend from claim 24 and thereby include all of its recitations.

Reconsideration and allowance of claims 1, 2, 4-10, 24 and 26-33 are respectfully requested.

Claims 1-5, 8-13, 24, 26-29 and 31-37 were rejected under 35 U.S.C. § 102(b) for anticipation by Verness (U.S. Publication No. 2002/0099430A1). Applicant respectfully traverses the rejections of claims 1-5, 8-13, 24, 26-29 and 31-37 for at least the following reasons.

Claims 1-5, 8-10, 34 and 35

Applicant cannot find in the cited reference, for example, at least one conductive sleeve disposed within the insulating layer, the at least one conductive sleeve surrounds the conductor and extends continuously along the conductor from the proximal end to at least the intermediate portion, wherein the at least one conductive sleeve is electrically isolated from all sensing and therapy electrodes and all sensing and therapy conductors including the electrode and the conductor, the at least one conductive sleeve has a first impedance value in a first condition, and the at least one conductive sleeve is adapted for electrical isolation from a lead body exterior environment in the first condition, as recited in claim 1. Claims 2-5, 8-10, 34 and 35 depend from claim 1 and thereby include all of its recitations.

Reconsideration and allowance of claims 1-5, 8-10, 34 and 35

Claims 11-13 and 36

Applicant respectfully traverses the rejections of claims 11-13 and 36 for at least the following reasons. Applicant can not find in Verness, for example, means for detecting wear of the insulating layer, wherein the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is disposed within the insulating layer, as recited in claim 11. Claims 11-13 and 36 depend from claim 11 and thereby include all of its recitations.

Applicant respectfully submits claim 11 is a means plus function claim under 35 U.S.C. § 112, paragraph 6. According to 35 USC § 112, paragraph 6, "an element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be *construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof.*" (Emphasis added).

Pursuant to MPEP § 2184 (see above), Applicant traverses the alleged equivalence in the Office Action, and submits the cited reference fails to provide equivalent structure to the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment. Applicant respectfully submits that the cited reference does not appear to disclose an equivalent to the corresponding elements disclosed in Applicant's specification, such as:

Conductive sleeve 122 shown in Figures 3-5 and 10-12;

Conductive sleeve 130 shown in Figures 6-8;

Conductive sleeve 132 shown in Figures 6-8;

Conductive sleeve 134 shown in Figure 8.

Further, at page 7, ll 15-21 of the specification, the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is described as a conductive sleeve,

> a conductive sleeve 122 is disposed within the insulating layer 120, in one option. The conductor 118 is disposed within the conductive sleeve 122, so the conductive sleeve 122 surrounds the conductor 118. In other words, the conductive sleeve 122 defines a perimeter around the conductor 118. In one option, the conductive sleeve 122 is comprised of discrete conductive elements and defines a broken perimeter around the conductor 118. Optionally, the conductive sleeve 122 is aligned with a longitudinal axis defined by the conductor 118.

Further, at page 7, ll 22-26 of the specification, the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is further described,

> The conductive sleeve 122 is electrically isolated from the electrode 116 and conductor 118 by the insulating layer 120. In another option, the insulating layer 120 also surrounds the conductive sleeve 122, thereby isolating the conductive sleeve from a surrounding environment (for example bodily fluids).

Because the conductive sleeve 122 is isolated from the electrode 116, the conductor 118 and the exterior surrounding environment (e.g., bodily fluids) in an implanted condition the sleeve 122 is not in contact with any feature of the implantable lead assembly that provides therapy or sensing (e.g., sensing or therapy electrodes and conductors that contact a surrounding environment exterior to the lead body). The means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is therefore not equivalent to the allegedly equivalent structure of the cited reference. For example, paragraph 43 of the cited reference states, "The conductor coupled to defibrillation electrode 12 extends into connection assembly 22, which carries . . . a connector pin 36, coupled to the conductor extending through lead body 10 to defibrillation electrode 12." Additionally, paragraph 105 of the cited reference states, "Coil [574] may be insulated along most of its length, while being exposed along a predetermined portion that serves as an anode . . . longer lengths being more useful as a shock coil." Because the defibrillation electrode 12 is coupled with a conductor, and the defibrillation electrode 12 and coil 574 is necessarily exposed for defibrillation shocks the electrode 12 and coil 574 are therefore not isolated from the conductor or a surrounding environment exterior to the lead body.

Further still, the means for detecting wear, the conductive sleeve, is shown as extending longitudinally along the lead assembly, and the cited reference fails to show equivalent structure. See Figures 3 and 4. At page 8, ll 7-10 of the specification, the means for detecting wear is described, "Optionally, the conductive sleeve 122 extends from the proximal end of the implantable lead body 111 (Figure 3) along substantially one third of the lead body length, where a large amount of wear is likely to occur." Moreover, at page 11, ll 13-15, "the conductors 118 extend parallel to the longitudinal axis of the implantable lead assembly 110 as do the conductive sleeves 130, 132, 134." Because the conductive sleeve extends continuously over sections of the lead body the means for detecting wear of the insulating layer before the conductor is exposed to

a lead body exterior environment is therefore not equivalent to the allegedly equivalent structure of the cited reference. As described above, the at least the defibrillation electrode 12 is localized at the desired defibrillation location and fails to extend longitudinally as shown in the application Figures and described in the application specification cited above.

Additionally, Applicant respectfully submits the cited reference fails to teach the allegedly equivalent structure performs the *identical function* as required by MPEP § 2184 II. At page 7, ll 26 to page 8, ll 2, the specification states, for example, "When surrounded by the insulating layer 120, the conductive sleeve 122 has a first impedance value in a non-breached condition. In one option, the conductive sleeve 122 is in an open circuit when isolated from the surrounding environment and has an infinite first impedance." At page 8, ll 5-7, " the conductive sleeve 122 is exposed to a surrounding environment in a breached second condition." At page 13, ll 3-7, "if wear has ablated the insulating layer 120 and exposed the sleeve 122 to the surrounding environment [in the breached second condition], the impedance of the conductive sleeve 122 will change from the first impedance value to the second impedance value within a predetermined range." Further, at page 16, ll 10-13, the specification states, "This change of impedance . . . signals wear of the lead insulation before the lead conductor itself is exposed to the surrounding environment." Because the conductive sleeve 122 is isolated from the surrounding environment exterior to the lead body in a first condition (e.g., isolated from sensing or therapy electrodes and conductors that contact a surrounding environment exterior to the lead body, as described above), when the insulation is breached and the conductive sleeve is in the breached second condition its impedance necessarily changes a measurable degree that indicates wear of the lead insulation. The function of the means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment is therefore not equivalent to the function of the allegedly equivalent structure of the cited reference. For example, paragraph 43 of the cited reference states, "The conductor coupled to defibrillation electrode 12 extends into connection assembly 22, which carries . . . a connector pin 36, coupled to the conductor extending through lead body 10 to defibrillation electrode 12." Additionally, paragraph 105 of the cited reference states, "Coil [574] may be insulated along most of its length, while being exposed along a predetermined portion that serves as an anode . . . longer lengths being more useful as a shock coil." Because the defibrillation electrode 12 and the coil 574 are

used for defibrillation therapy the electrode 12 and coil 574 are not isolated from the surrounding environment exterior to the lead body. The defibrillation electrode 12 and coil 574 therefore do not provide the identical function of the claimed means for detecting wear of the insulating layer before the conductor is exposed to a lead body exterior environment described above. Because the defibrillation electrode 12 and the coil 574 fail to perform the identical function as required by MPEP § 2184 II, the elements are not equivalent to the means for detecting wear of the insulating layer.

Pursuant to 35 USC 112, paragraph 6, and MPEP § 2184, because the cited reference fails to teach the means for detecting wear of the insulation layer and its associated function as described in the specification the teaching of the cited reference is not equivalent.

Reconsideration and allowance of claims 11-13 and 36 are respectfully requested.

Claims 24, 26-29, 31-33 and 37

Further, Applicant cannot find in the cited reference, at least one conductive sleeve interposed between the lead body exterior and the conductor, the at least one conductive sleeve at least partially surrounds the conductor, the at least one conductive sleeve continuously extends along the conductor from the proximal end to at least the intermediate portion, wherein the at least one conductive sleeve is electrically isolated from all sensing and therapy electrodes and all sensing and therapy conductors including the electrode and the conductor, the at least one conductive sleeve has a first impedance value in a first condition, and the at least one conductive sleeve is electrically isolated from a lead body exterior environment in the first condition, as recited in claim 24. Claims 26-29, 31-33 and 37 depend from claim 24 and thereby include all of its recitations.

Reconsideration and allowance of claims 24, 26-29, 31-33 and 37 are respectfully requested.

§103 Rejection of the Claims

Claim 38 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Yang et al. (U.S. Patent No. 5,824,030) or Verness (U.S. Publication No. 2002/0099430A1). Applicant respectfully traverses the rejection of claim 38 for at least the following reason. Claim 38

depends from claim 24 and thereby includes all of the recitations of claim 24. Because claim 24 is allowable for at least the reasons provided above, Applicant respectfully submits claims 38 is allowable as a dependent claim of claim 24.

Office Action Response to Arguments

Applicant respectfully traverses the statement at paragraph 2, "It is note that the specification is not consistent with the claim in that it does not explicitly disclose how the conductive sleeve detects wear of the insulating layer." Applicant submits at least page 13, ll 3-13 of the specification recites,

> A change of impedance to within a predetermined range is indicative of wear of the insulating layer 120 of the implantable lead assembly 110. In other words, if wear has ablated the insulating layer 120 and exposed the conductive sleeve 122 to the surrounding environment, the impedance of the conductive sleeve 122 will change from the first impedance value to the second impedance value within a predetermined range. As shown in Figure 12, wear of the insulating layer 120 creates a breach or opening 140 in the implantable lead assembly 110. As shown in phantom lines in Figure 12, after sufficient wear, the opening 140 extends from the outer surface of the implantable lead assembly 110 to the conductive sleeve 122. In this second breached condition, the surrounding environment contacts the exposed conductive sleeve 122 and thereby changes the impedance value of the conductive sleeve.

Applicant submits at least the above quoted passage discloses how the conductive sleeve detects wear of the insulating layer.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 371-2117 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date 1/7/08
displaced by weekend

By _____
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1 day of January 2008.

Name

Signature